

REMARKS/ARGUMENTS

Claims 8-14 are pending in this application. By this amendment, Claims 8, 13 and 14 are amended. Reconsideration in view of the above amendments and following remarks is respectfully requested.

I. Claim 14 Satisfies the Requirements of 35 U.S.C. § 101

Claim 14 is rejected under 35 U.S.C. § 101 for being directed to non-statutory subject matter. Claim 14 is amended. Withdrawal of the rejection of Claim 14 under 35 U.S.C. § 101 is respectfully requested.

II. The Claims Define Patentable Subject Matter

Claims 8, 13, and 14 are rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,301,607 to Barraclough et al.; Claim 9 is rejected under 35 U.S.C. § 103(a) as unpatentable over Barraclough et al. in view of U.S. Patent No. 6,453,078 to Bubie et al.; and Claims 10-12 are rejected under 35 U.S.C. § 103(a) as unpatentable over Barraclough et al. and further in view of U.S. Patent No. 5,838,314 to Neel et al. These rejections are respectfully traversed.

The applied art does not teach, disclose or suggest a shared contents control unit that includes a shared data flag, with the shared data flag indicating whether a user contents is set to be shared or not, as claimed in Claim 8 and similarly claimed in Claims 13 and 14.

In contrast, Barraclough et al. is directed to allowing real estate agents to post new listings to potential buyers. As such, Barraclough et al. discloses capturing images with a digital camera or camcorder 100 and downloading them to an Internet appliance 110. The images are attached to an electronic communication and sent to a web server 120 via the Internet. At the web server 120, the images are parsed and posted to a web page. The images can be stationary and/or video images. A second electronic communication is sent from the

web server 120 to individuals selected by the sender of the images, notifying the individuals of the new posting on the web page. The second electronic communication is sent automatically. In this way, the sender of the first electronic communication can communicate with the selected individuals.

Again, Barraclough et al. is directed to providing a means for a realtor to capture video images of real estate property, download them to the internet appliance 110 and then to the server 120 to be posted on a web site for potential buyers. The web server 120 receives data transmitted from a single user, for example a real estate agent, and posts the images to a web page for other individuals.

In contrast, the independent claims recite a shared contents control unit that includes a shared data flag, with the shared data flag indicating whether a user contents is set to be shared or not. As discussed above, Barraclough et al. does not teach, disclose or suggest a control unit that determines whether a user can view the postings or not. Instead, the posting are automatically sent to the selected individuals.

Neither Bubie et al. nor Neel et al. make up for the deficiencies of Barraclough et al. discussed above. Accordingly, withdrawal of the rejection of the claims under 35 U.S.C. § 102 and § 103 is respectfully requested.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 8-14 is patentably distinguishing over the applied art.

The present application is therefore believed to be in condition for formal allowance and favorable reconsideration of this application as presently amended is respectfully requested.

Respectfully submitted,

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